

SEP 3 6 2003

RECEIVED  
OCT 07 2003  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. .... 09/695,814  
 Filing Date ..... October 24, 2000  
 Inventor..... Stephen P. Turner et al.  
 Assignee..... Honeywell International Inc.  
 Group Art Unit..... 1753  
 Examiner ..... McDonald, Rodney  
 Attorney's Docket No. ..... H0001468  
 Title: Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering Targets

RESPONSE TO JUNE 27, 2003 OFFICE ACTION

To: Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

From: Jennifer J. Taylor, Ph.D. (Tel. 509-624-4276; Fax 509-838-3424)  
 Wells St. John P.S.  
 601 W. First Avenue, Suite 1300  
 Spokane, WA 99201-3828

AMENDMENTSIntroductory Comments

In response to the Office Action dated June 27, 2003, applicant amends and remarks as follows.

Adjustment date: 10/29/2003 EEKUBAY1  
 10/03/2003 JBALINAN 00000033 230925 09695814  
 01 FC:1801 336.00 CR

Practitioner's Docket No. HO58-044

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stephen P. Turner et al.

Application No.: 09/695,814 Group No.: 1753  
Filed: October 24, 2000 Examiner: Rodney McDonald  
For: "Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering Targets"Commissioner for Patents and Trademarks  
Washington, D.C. 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND  
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

## I. RETURN OF REFUND REQUEST

This is a request for a refund, with respect to the debit to Deposit Account 23-0925, shown on the statement dated October 3, 2003 for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.  
A copy of the Ex-Post Declaration, copy of the Fee Transmittal, and copy of the Response to June 27, 2003 Office Action, accompanies this request.

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.

Date: 23 October 2003

XX

## FACSIMILE

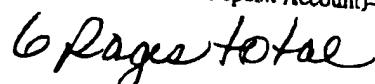
transmitted by facsimile to the Patent and Trademark Office. 703-308-6778

  
Signature

Rhonda G. Rambo

(type or print name of person certifying)

(Request for Debit (Improper Credit of Deposit Account)—page 1 of 2)



**II. FEES CHARGED FOR WHICH REFUND IS REQUESTED**

	<b>AMOUNT OF REFUND REQUESTED</b>
Improper charge for Independent Claims Excess of Three	\$336.00
<b>TOTAL REFUND REQUESTED</b>	<b>\$336.00</b>

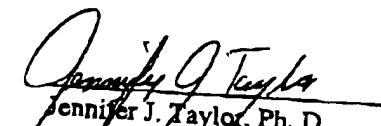
**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

On September 29, 2003 we filed an Office Action Response to the PTO Communication mailed June 27, 2003. On the Fee Transmittal dated September 29, 2003, we made an error on the Extra Claim Fee calculation - there were NO additional claims to this Office Action Response; only fees for the Supplemental Information Disclosure and the Terminal Disclaimer. We submitted check # 140457, in the amount of \$290.00 for the Supplemental Information Disclosure and the Terminal Disclaimer. Therefore, no additional fees are believed to be required. Please credit Deposit Account No. 23-0925 with the above fee amount.

**IV. MANNER OF REFUND**

Please Credit Account No. 23-0925.

Date: October 23, 2003

  
 Jennifer J. Taylor, Ph. D.  
 Reg. No. 48,711  
 Wells St. John P.S.  
 601 West First Ave., Suite 1300  
 Spokane, WA 99201-3828  
 Tel. No.: (509) 624-4276  
 Customer No.: 021567

(Request for Debit (Improper Credit of Deposit Account)—page 2 of 2)



United States  
Home Page  
Finance Home  
Page

### Deposit Account Statement

Requested Statement Month:

October 2003

Deposit Account Number:

230925

Name:

WELLS ST JOHN PS

Attention:

RHONDA RAMBO

Address:

601 WEST FIRST AVENUE SUITE 1300

City:

SPOKANE

State:

WA

Zip:

99201-3817

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
10/02 25	09888214		LO25-003	1202	-\$72.00	\$12,610.00
10/02 96	10672816		MI22-2398	1202	\$180.00	\$12,430.00
10/03 15	6500744		MI22-1197	1811	-\$100.00	\$12,530.00
10/03 23	10340126			9204	-\$180.00	\$12,710.00
10/03 41	09695814		H0001468	1201	\$336.00	\$12,374.00
10/03 42	09172096			9204	-\$20.00	\$12,394.00
10/03 952	2135589		TW3-106	7205	\$100.00	\$12,294.00
10/03 953	2135589		TW3-106	7208	\$200.00	\$12,094.00
10/06 282	2121120		CU15-101	7205	\$100.00	\$11,994.00
10/06 283	2121120		CU15-101	7208	\$200.00	\$11,794.00
10/06 336	09880580			9204	-\$30.00	\$11,824.00
10/07 19	09148723		MI22-981	1806	-\$180.00	\$12,004.00
10/08 4	6500709		MI22-1584	1811	-\$100.00	\$12,104.00
10/08 5	09867754		ZA1-007	2801	\$385.00	\$11,719.00
10/08 551	78310625		WO28-110	7001	\$335.00	\$11,384.00
10/09 2	09881299		MI22-1747	1801	\$750.00	\$10,634.00
10/09 38	SUBSCRIPTION			8001	\$3.00	\$10,631.00
10/09 43	PCT/US03/30731	H0003933-PCT		1602	\$250.00	\$10,381.00
10/09 426	76095115		CO75-102	7004	\$150.00	\$10,231.00
10/09 433	76095113		CO75-101	7004	\$150.00	\$10,081.00
10/10 92	10102199		NO35-001	8001	\$15.00	\$10,066.00
10/14 1886	78313283		BE58-102	7001	\$335.00	\$9,731.00
10/15 1	09653156		MI22-1518	1801	\$770.00	\$8,961.00
10/15 2	09686714		IR3-012	2201	\$42.00	\$8,919.00
10/15 36	SUBSCRIPTION			8001	\$3.00	\$8,916.00
10/15 599	78313654		MA91-101	7001	\$335.00	\$8,581.00
10/15 603	78313657		MA91-102	7001	\$335.00	\$8,246.00
10/16 27	PAYMENT			9203	-\$8,000.00	\$14,246.00
10/16 384	10071843			8021	\$40.00	\$14,206.00
10/17 23	6383848			1811	-\$100.00	\$14,306.00
10/17 26	6482691		MI22-1345	1811	-\$100.00	\$14,406.00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION SERIAL NO . . . . . 09/695,814  
 FILING DATE . . . . . October 24, 2000  
 INVENTORSHIP . . . . . Stephen P. Turner et al.  
 ASSIGNEE . . . . . Honeywell International Inc.  
 GROUP ART UNIT . . . . . 1753  
 EXAMINER . . . . . McDonald, Rodney  
 ATTORNEY'S DOCKET NO . . . . . H0001468  
 TITLE: Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering Targets

EX POST DECLARATION OF EXPRESS MAILING

I hereby declare that I have deposited the below-listed papers with the United States Postal Service "Express Mail Post Office to Addressee" service, addressed and posted as indicated below, in compliance with 37 CFR 1.10. The Express Mail label No. has been placed on one or more of the papers listed.

Express Mail Number: EV318285037US  
 Date of Deposit: 9/29/03  
 Time of Deposit: 4:30 a.m./p.m.  
 Deposited By:  Delivery to Postal Employee  
 Place in Drop Box  
 Addressee: Commissioner for Patents  
 PO Box 1450  
 Alexandria, VA 22313-1450

Place of Deposit:

U.S. Post Office (Paulsen Bldg. Br.)  
 421 West Riverside, Room 201  
 Spokane, Washington 99201  
 Last Scheduled Drop Box Pickup: 4:40 p.m.  
 U.S. Post Office (Riverside Station)  
 904 West Riverside  
 Spokane, Washington 99201  
 Last Scheduled Drop Box Pickup: 5:00 p.m.

U.S. Post Office (DIST. CTR.)  
 2928 S. Spotted Road  
 Spokane, Washington 99202  
 Last Scheduled Drop Box Pickup: 9:00 p.m.  
 U.S. Post Office \_\_\_\_\_ Branch  
 Last Scheduled Drop Box Pickup: a.m./p.m.

Listing Of Items Enclosed in Mailing:  
 1. 2 return receipt postcards  
 2. \$290.00 Check  
 3. Transmittal Form (PTO/SB/21) & Fee Transmittal (PTO/SB/17) in duplicate  
 4. Response to June 27, 2003 Office Action  
 5. Terminal Disclaimer  
 6. Supplemental Information Disclosure Statement w/PTO-1449 and copy of cited references

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issued therefrom.

Dated at Spokane, Washington this 29th day of September, 2003.

Trinity Coxon  
 Printed Name: Trinity Coxon

PTO/SB/17 (01-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual review.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$290.00)

### Complete If Known

Application Number	08/695,814
Filing Date	October 24, 2000
First Named Inventor	Stephen P. Turner
Examiner Name	McDonald, Rodney
Art Unit	1753
Attorney Docket No.	H0001468

### METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number  
23-0925

Wells St. John P.S.

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375		Utility filing fee			
1002 330	2002 185		Design filing fee			
1003 520	2003 280		Plant filing fee			
1004 750	2004 375		Reissue filing fee			
1005 160	2005 80		Provisional filing fee			
<b>SUBTOTAL (1)</b>		<b>(\$)</b>		<b>0.00</b>		

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
41	-20* = 0	X	
Independent: 9	- 3** = 6	X	125*
Multiple Dependent			

#### Large Entity Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	-
1202 18	2202 9		<i>* No claims filed</i>
1201 84	2201 42		
1203 280	2203 140		
1204 84	2204 42		<i>This was a mistake</i>
1205 18	2205 9		

**SUB1**

\* or number previously paid.

\*\* or number previously paid, see above

or fee (specify)	Reduced by Basic Filing Fee Paid	<b>SUBTOTAL (3)</b>	<b>(\$)</b>	<b>290.00</b>
(Complete if applicable)				
Name (Print/Type)	Jennifer J. Taylor, Ph.D.	Registration No. (Attorney/Agent)	48,711	Telephone 509-624-4276
Signature	<i>Jennifer J. Taylor</i>	Date	September 29, 2003	

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PT-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Appl. N . 09/695,814

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. .... 09/695,814  
Filing Date ..... October 24, 2000  
Inventor..... Stephen P. Turner et al.  
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Title: Titanium-Based and Zirconium-Based Mixed-Metal Materials and Sputtering Targets

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To: Commissioner for Patents  
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Alexandria, VA 22313-1450

From: Jennifer J. Taylor, Ph.D. (Tel. 509-624-4276; Fax 509-838-3424)  
Wells St. John P.S.  
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Spokane, WA 99201-3828

**AMENDMENTS****Introductory Comments**

In response to the Office Action dated June 27, 2003, applicant amends and remarks as follows.